

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKASCENT MEDICAL TECHNOLOGY
FUND II, LP,

Plaintiff,

v.

TELEFLEX MEDICAL INCORPORATED,

Defendant.

Civil Action No. 07-CIV-6353 (SAS)

DNY

IMENT

RONICALLY FILED

DATE FILED: 12/5/07

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Ascent Medical Technology Fund II, LP and Defendant Teleflex Medical Incorporated, through their undersigned counsel, that the above-captioned action and all claims therein be and hereby are dismissed with prejudice.

IT IS FURTHER STIPULATED AND AGREED by Plaintiff and Defendant that each party will bear its own costs and attorneys' fees.

Dated: November , 2007

Douglas C. Gray (DG 3907)
*David L. Johnson (admitted *pro hac vice*)*
Morris, Downing & Sherrill LLP
One Main Street
Newton, New Jersey 07871
(973) 383-2700
Attorneys for Plaintiff

Seth T. Taube (ST 2326)
Maureen P. Reid (MR 2326)
Baker Botts L.L.P.
30 Rockefeller Plaza
New York, New York 10112
(212) 408-2500
Attorneys for Defendant

SO ORDERED:
 this 5 day of Dec, 2007.

Douglas C. Gray